

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

UNITED STATES,)	
)	
Plaintiff,)	
)	Case No. 14-CR-03038-RK
)	
v.)	
)	
)	
MARTY BRICKEY,)	
)	
Defendant)	

DEFENSE COUNSEL’S MOTION TO WITHDRAW

COMES NOW the undersigned counsel and respectfully requests leave to withdraw. In support counsel sets forth as follows:

The indictment against Mr. Brickey was unsealed in 2015, and alleged that Mr. Brickey committed fraud and other crimes through a series of complex financial and investment transactions. Soon after the indictment was unsealed, the government provided counsel with a large file of discovery. Since that time, and even though the government investigation has continued over the last three years, relatively little discovery had been provided.

On July 18, 2017, government counsel AUSA Steven Mohlhenrich was allowed to withdraw, and AUSA Patrick Carney and AUSA Casey Clark entered their appearance.

On July 26, 2017 defense counsel received a significant amount of new discovery from the government. Upon careful review of the newly disclosed investigative memos, counsel has determined that a conflict of interest now exists, with at least three probable government witnesses, and which will prevent counsel from continuing to represent Mr. Brickey in this matter.

Mr. Brickey has been informed of the existence of this conflict, and does not oppose the Court granting this motion. Mr. Brickey is taking immediate steps to locate and retain new counsel, and has informed counsel that given the size and complexity of this indictment it will take approximately 3-4 weeks to make the appropriate arrangements. Regardless of the timing of Mr. Brickey's retention of new counsel, the conflict of interest that now exists will prevent counsel from moving forward in this case.

WHEREFORE, the undersigned counsel respectfully requests that the Court grant the relief requested herein, and for any such other orders as the Court deems necessary and appropriate.

Sincerely,

/s/Shane P. Cantin (#41699)

/s/ Thomas Carver

/s/ Erica Mynarich

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CERTIFICATE OF SERVICE

On this 31st day of July, 2017, a copy of the foregoing motion was filed on the Court's ECF electronic filing system with copies to all counsel.

/s/ Shane P. Cantin